

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-CR-00200-RJC-SCR

USA

v.

XAVIER TWANNE HARDIN

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ORDER

**THIS MATTER** is before the Court upon another motion of the defendant pro se for a sentence reduction under 18 U.S.C. § 3582. (Doc. No. 81).

The Court denied the defendant's previous motions for a sentence reduction under § 3582, (Doc. Nos. 67, 68, 78), finding that the defendant would pose a danger to the community upon his release; thus, his release would be inconsistent with the Sentencing Commission's policy statement, USSG §1B1.13(2), (3), comment. (n.1), and inconsistent with the need for the sentence to protect the public from further crimes of the defendant, 18 U.S.C. §§ 3553(a)(2)(C), 3582(c)(1)(A). (Doc. No. 73: Order at 5). The information in the instant motion, including his stepfather's health, the 21 U.S.C. § 851 enhancement, the crack/powder cocaine disparity, and his post-sentencing rehabilitation, (Doc. No. 81: Motion at 1-4), is insufficient to overcome the Court's previous dangerousness determination. Accordingly, the Court will not exercise its discretion to reduce the defendant's sentence.

**IT IS, THEREFORE, ORDERED** that the defendant's motion, (Doc. No. 81), is **DENIED**.

The Clerk is directed to certify copies of this Order to the defendant and the  
United States Attorney.

Signed: May 15, 2023

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

